SEP 2 8 2016

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ROANOKE DIVISION

WILLIAM ANTOINE JASPER,) CASE NO. 7:16CV00427
)
Petitioner,)
v.) FINAL ORDER
)
MARTIN KUMER, ACRJS)
SUPERINTENDENT,) By: Hon. Glen E. Conrad
) Chief United States District Judge
Respondent.)

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that this petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254, is **DISMISSED WITHOUT PREJUDICE** for failure to state a claim, and the action is stricken from the active docket of the court.

Further, finding that petitioner has failed to make a substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c)(1), a certificate of appealability is **DENIED**.

ENTER: This <u>21</u> day of September, 2016.

Chief United States District Judge